

UNITED STATES DISTRICT COURT

for the
District of New Mexico

In the Matter of the Seizure of)
 (Briefly describe the property to be seized))
 \$16,220.00 seized from Melissa Drum and Joel)
 Dehoyos. Currently in the custody of the Eddy)
 County Sheriff's Office in Carlsbad, NM.)

Case No. 15-mr-807

APPLICATION FOR A WARRANT
TO SEIZE PROPERTY SUBJECT TO FORFEITURE

I, a federal law enforcement officer or attorney for the government, request a seizure warrant and state under penalty of perjury that I have reason to believe that the following property in the _____ District of

New Mexico is subject to forfeiture to the United States of America under 21 U.S.C. §

881(a)(6) (describe the property):

\$16, 220.00 seized from Melissa Drum and Joel Dehoyos on November 12, 2015. The \$16, 220.00 is currently in the custody of the Eddy County Sheriff's Office in Carlsbad, New Mexico, for the Pecos Valley Drug Task Force.

The application is based on these facts:

See attached "Affidavit," which is attached and incorporated herein

☒ Continued on the attached sheet.



Applicant's signature

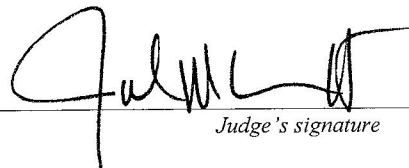
Joseph W. Gelinas, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/7/2015

City and state: Roswell, New Mexico



Judge's signature

Joel M. Carson III United States Magistrate Judge

Printed name and title

United States of America v. \$16, 220.00

AFFIDAVIT IN SUPPORT OF AN ORDER AUTHORIZING A SEIZURE WARRANT

On November 12, 2015, agents from the Pecos Valley Drug Task Force ("PVDTF") and the Chaves County Metro Narcotics Task Force ("CCMNTF") conducted surveillance of 3100 Encanto Road, Roswell, New Mexico ("NM"). The residence located on said property is known to be occupied by Joel Dehoyos and Melissa Drum. Both individuals are believed to be associated with the distribution of methamphetamine.

At approximately 3:40 p.m., agents observed Dehoyos exit the residence with a black suitcase. Dehoyos proceeded to walk to a white Toyota sedan that was parked in the driveway, and place the same suitcase inside the trunk of the vehicle.

Agents made contact with Dehoyos. Dehoyos conversed with the agents and mentioned that Drum was inside the residence. Dehoyos escorted the agents to the residence and gave the agents permission to enter the residence.

Once inside the residence, Task Force Agent ("TFA") Raymond Smith could detect an odor of marijuana. TFA Smith asked Dehoyos if he had marijuana on his person. Dehoyos stated yes and removed a pack of cigarettes from his right pants pocket. The same pack of cigarettes contained a small plastic bag containing approximately 2 grams of marijuana. Shortly thereafter, Drum exited a bedroom and met with the agents.

The agents obtained consent from both Drum and Dehoyos to search the residence and the Toyota sedan parked in the driveway.

TFA Ortega searched the Toyota and located the black suitcase, as mentioned above. Inside the suitcase, TFA Ortega located \$8,000 that was banded in \$1,000 increments and a loaded .22 caliber handgun (Serial Number: R31274).

TFA Smith searched Drum's bedroom and located, in sum, a glass jar containing approximately 17 grams of a substance that appeared to be marijuana, and a cigarette ashtray containing approximately seven grams of a white crystal substance. Furthermore, TFA Smith located \$8,200.00, banded in \$1,000.00 increments, in a purse located on the floor. TFA Smith looked under the mattress and located \$20.00, and a plastic bag containing a brown substance suspected of being heroin. TFA Smith also located a \$100 bill on a dresser.

Agents provided both Drum and Dehoyos with their rights per *Miranda*. Drum and Dehoyos understood their rights and agreed to speak the agents.

Drum confirmed the crystal substance was methamphetamine and that she would have cleaned it up if she knew it (methamphetamine) was there. Drum further explained that Dehoyos was about to travel to Glendale, Arizona ("AZ"), to purchase two pounds of methamphetamine. Drum explained that she has purchased and sold approximately four pounds of methamphetamine, since May 2015, from the same AZ source of supply. Drum would pay \$4,000.00 per pound of methamphetamine.


United States of America v. \$16, 220.00

Dehoyos stated the firearm found in the suitcase was his and that he knew he was a felon. Dehoyos further stated that he possessed the firearm for protection during his drug transactions. Dehoyos was planning to travel to Glendale, Arizona, to purchase two pounds of methamphetamine for \$8,000.00. Dehoyos admitted he does not have employment and both he and Drum were drug dealers.

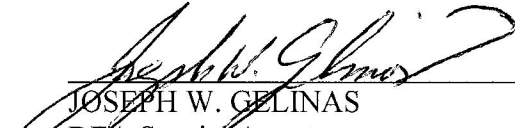
The agents seized a total of \$16,320.00, and secured \$16, 220.00 at the Eddy County Sheriff's Office, 1502 Corrales Drive, Carlsbad, New Mexico 88220. Agents determined that the \$100 bill located on the dresser was in fact counterfeit. Agents removed said \$100 bill from the total amount of currency seized for forfeiture.

Based on the aforementioned facts, there is probable cause to believe that the \$16,220.00 seized from Melissa Drum and Joel Dehoyos on November 12, 2015, was furnished or was intended to be furnished in exchange for a controlled substance, in violation of 21 U.S.C. § 841. Accordingly, pursuant to Title 21 U.S.C. § 881(a)(6), I seek a warrant for the seizure of the United States Currency in the amount of \$16, 220.00.

Executed on this 7th day of December, 2015.



JOEL M. CARSON III
United States Magistrate Judge



JOSEPH W. GELINAS
DEA Special Agent